

of America

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No. 147

# House of Representatives

□ 0711

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. Dreier) at 7 o'clock and 11 minutes a.m.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CON-FERENCE REPORT ON H.R. 2311, ENERGY AND WATER DEVELOP-MENT APPROPRIATIONS ACT,

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 107–260) on the resolution (H. Res. 272) waiving points of order against the conference report to accompany the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CON-FERENCE REPORT ON H.R. 2647, LEGISLATIVE BRANCH APPRO-PRIATIONS ACT, 2002

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 107–261) on the resolution (H. Res. 273) waiving points of order against the conference report to accompany the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SHOWS (at the request of Mr. GEPHARDT) for today on account of official business in the district.

Mr. THOMPSON of Mississippi (at the request of Mr. GEPHARDT) for today and the balance of the week on account of business in the district.

Ms. DUNN (at the request of Mr. ARMEY) for today and the balance of the week on account of a family medical emergency.

Mr. Keller (at the request of Mr. Armey) for today on account of a death in the family.

Mr. McHugh (at the request of Mr. ARMEY) for today on account of illness in the family.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Delahunt) to revise and extend their remarks and include extraneous material:)

Ms. Kaptur for 5 minutes, today.

Ms. MILLENDER-McDonald, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. Defazio, for 5 minutes, today.

Ms. McKinney, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. Brown of Ohio, for 5 minutes, today.

Ms. Brown of Florida, for 5 minutes,

(The following Members (at the request of Ms. Ros-Lehtinen) to revise and extend their remarks and include extraneous material:)

Mrs. BIGGERT, for 5 minutes, October 31.

Mr. SOUDER, for 5 minutes, October 31.

Mr. Burton of Indiana, for 5 minutes, today and October 31.

Mr. Moran of Kansas, for 5 minutes, October 31.

Ms. Ros-Lehtinen, for 5 minutes, today and October 31.

Mr. SHIMKUS, for 5 minutes, October 31.

### ADJOURNMENT

Ms. PRYCE of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 12 minutes a.m.), the House adjourned until today, Wednesday, October 31, 2001, at 10 a.m.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4425. A letter from the Principal Deputy General Counsel, Department of Defense, transmitting a draft of proposed legislation to award the medal of honor to Ben L. Salomom and Jon E. Swanson; to the Committee on Armed Services.

4426. A letter from the Principal Deputy General Counsel, Department of Defense, transmitting a draft of proposed legislation relating to the annual survey of racial, ethnic, and gender issues; to the Committee on Armed Services.

4427. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Charles R. Heflebower, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

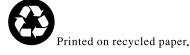
4428. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate For Pay-As-You-Go Calculations; to the Committee on the Budget.

4429. A letter from the Office of Civilian Radioactive Waste Management, Department of Energy, transmitting the seventeenth Annual Report on the activities and expenditures of the Office of Civilian Radioactive Waste Management, pursuant to 42 U.S.C. 10224(c); to the Committee on Energy and Commerce.

4430. A letter from the Principal Deputy Associate Administrator, Environmental

 $\Box$  This symbol represents the time of day during the House proceedings, e.g.,  $\Box$  1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Protection Agency, transmitting the Agency's final rule-Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Reasonably Available Control Technology Requirements for Volatile Organic Compounds and Nitrogen Oxides in the Pittsburgh-Beaver Valley Area [PA041-4178; FRL-7083-3] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4431. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule-Approval and Promulgation of Implementation Plans Kentucky: Approval of Revisions to Kentucky State Implementation Plan [KY-75-1; KY-97-1-200109, FRL-7082-8] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee

on Energy and Commerce.

4432. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule-Approval and Promulgation of Air Quality Implementation Plans; Kentucky; Approval of Revisions to State Implementation Plan: Revised Format for Materials Being Incorporated by Reference for Jefferson County, Kentucky [KY-103; KY-107; KY-110; KY-114; KY-115; KY-122-200203; FRL-7082-7] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4433. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule-Approval and Promulgation of Air Quality Implementation Plans; Kentucky: Approval of Revisions to State Implementation Plan, Source Specific Requirements, and Nonregulatory Provisions [KY-131, and KY-133-200201; FRL-7083-1a] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4434. A letter from the Principal Deputy Administrator, Environmental Protection Agency, transmitting the Agency's final rule-Approval and Promulgation of Implementation Plans; State of Missouri [MO 0135-1135a; FRL-7082-6] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4435. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Illinois Trading Program [IL 165-2; FRL-7056-6] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4436. A letter from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule-Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them [PR Docket No. 92-235] and Examination of Exclusivity and Frequency Assignment Policies of the Private Land Mobile Services-received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4437. A letter from the Director, Office Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Interim Storage for Greater Than Class C Waste [Docket No. PRM-72-2] (RIN: 3150-AG33) received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4438. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Israel (Transmittal No. DTC 102-01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4439. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Israel (Transmittal No. DTC 112-01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4440. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to the United Kingdom (Transmittal No. DTC 117-01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4441. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to France (Transmittal No. DTC 099-01), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4442. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that effective September 23, 2001 the danger pay rate for the Montenegro Province was designated at the 20% level and the danger pay rate for Peshawar, Pakistan was designated at the 25% level, pursuant to 5 U.S.C. 5928; to the Committee on International Relations.

4443. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, "Fiscal Year 2000 Annual Report on Advisory Neighborhood Commissions," pursuant to D.C. Code section 47-117(d); to the Committee on Government Reform.

4444. A letter from the Director, Office of Procurement and Property Management, Department of Agriculture, transmitting the Department's final rule-Agriculture Acquisition Regulation; Part 442 Amendment; Designation and Mandatory Use of Contractor Performance System [AGAR Case 99-02] (RIN: 0599-AA08) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4445. A letter from the Director, Office of Procurement and Property Management, Department of Agriculture, transmitting the Department's final rule—Agriculture Acquisition Regulation; Part 419 Amendment; North American Industrial Classification System [AGAR Case 2000-01] (RIN: 0599-AA09) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4446. A letter from the Deputy Independent Counsel, Office of the Independent Counsel, transmitting a report under the Federal Managers' Financial Integrity Act for the period ending September 30, 2001, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

4447. A letter from the Director, Office of Management and Budget, transmitting a report on the Federal Activities Inventory Reform Act: to the Committee on Government Reform.

4448. A letter from the Chairman, Securities and Exchange Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

4449. A letter from the Accounting Administration Supervisor, Daughters of the American Revolution, transmitting the report of the audit of the Society for the fiscal year ending February 28, 2001, pursuant to 36 U.S.C. 1101(20) and 1103; to the Committee on the Judiciary.

4450. A letter from the Director, Policy Directives and Instructions Branch, INS, Department of Justice, transmitting the Department's final rule-Delegation of the Adjudication of Certain Temporary Agricultural Worker (H-2A) Petitions, Appellate and Revocation Authority for those Petitions to the Secretary of Labor [INS 1946-98] (RIN: 1115-AF29) received October 4, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4451. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule-Action On Decision Therese Hahn v. Commissioner, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4452. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Tax Imposed on Certain Built-In Gains [Rev. Rul. 2001-50] received October 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 2585. A bill to authorize the Secretary of the Interior to conduct a study of the feasibility of providing adequate upstream and downstream passage for fish at the Chiloquin Dam on the Sprague River, Oregon (Rept. 107-255). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 1776. A bill to authorize the Secretary of the Interior to study of the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas: with an amendment (Rept. 107-256). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 483. A bill regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon; with an amendment (Rept. 107-257). Referred to the Committee of the Whole House on the State of the Union.

Mr. CALLAHAN: Committee of Conference. Conference report on H.R. 2311. A bill making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107-258). Ordered to be printed.

Mr. TAYLOR of North Carolina: Committee of Conference, Conference report on H.R. 2647. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107-259). Ordered to be printed.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

> By Mr. BOEHLERT (for himself, Mr. BAIRD, Mr. EHLERS, Mr. BARCIA, Mrs. MORELLA, Mr. WELDON of Pennsylvania, Mr. FORBES, and Mrs. WILSON):

H.R. 3178. A bill to authorize the Environmental Protection Agency to provide funding to support research, development, and demonstration projects for the security of water infrastructure; to the Committee on Science.

By Mr. BASS:

H.R. 3180. A bill to consent to certain amendments to the New Hampshire-Vermont

Interstate School Compact; to the Committee on the Judiciary.

By Mr. BILIRAKIS (for himself, Mrs. ROUKEMA, Mr. DUNCAN, and Mr. HUNTER):

H.R. 3181. A bill to establish a temporary moratorium on the issuance of visas for nonimmigrant foreign students and other exchange program participants, to improve procedures for issuance of nonimmigrant student visas, and to enhance procedures for admission at ports of entry to the United States; to the Committee on the Judiciary.

By Mr. BLAGOJEVICH (for himself and Mr. Waxman):

H.R. 3182. A bill to regulate certain 50 caliber sniper weapons in the same manner as machine guns and other firearms; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROWN of South Carolina (for himself, Mr. BARTLETT of Maryland, Mr. CUNNINGHAM, Mr. TOM DAVIS of Virginia, Mr. FILNER, Mr. GRAVES, Mrs. Jones of Ohio, Mr. Lipinski, Mr. McGovern, Mr. Rogers of Michigan, Mr. SCHROCK, and FALEOMAVAEGA):

H.R. 3183. A bill to amend title 10, United States Code, to repeal the offset from surviving spouse annuities under the military Survivor Benefit Plan for amounts paid by the Secretary of Veterans Affairs as dependency and indemnity compensation; to the Committee on Armed Services.

By Ms. DELAURO:

H.R. 3184. A bill to amend the Federal Food, Drug, and Cosmetic Act to add provisions regarding protecting the United States food supply; to the Committee on Energy and Commerce.

> By Mr. GREEN of Texas (for himself, Mr. QUINN, Mr. PASCRELL, Ms. LOFGREN, Mr. NADLER, Ms. ROYBAL-ALLARD, Ms. McCarthy of Missouri, and Mrs. Morella):

H.R. 3185. A bill to amend the Workforce Investment Act of 1998 to increase the hiring of firefighters, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING (for himself, Ms. PRYCE of Ohio, Mr. OBERSTAR, Mr. UPTON, Mr. WYNN, Mr. WELDON of Pennsylvania, Mr. Dingell, Mr. Lobiondo, Mr. BRADY of Pennsylvania, Mr. BAKER, Ms. Carson of Indiana, Mr. Sandlin, Mr. OWENS, Mr. MASCARA, and Mrs. McCarthy of New York):

H.R. 3186. A bill to provide for an awareness program, and a study, on a rare form of breast cancer; to the Committee on Energy and Commerce.

By Mr. McINNIS:

H.R. 3187. A bill to amend the Federal Land Policy and Management Act of 1976 to require the value of public benefits created by State and local governments and nonprofit entities to be offset against the fee charged for certain rights-of-way held by those entities; to the Committee on Resources.

By Mr. STARK (for himself, Mr. MCNULTY, Ms. ESHOO, Mr. WYNN, Mr. FRANK, Ms. ROYBAL-ALLARD. Ms. SCHAKOWSKY, Mr. McGovern. Mr.Pennsylvania. BRADY of Mr. KUCINICH, and Mr. HINCHEY):

H.R. 3188. A bill to amend title XVIII of the Social Security Act to expand Medicare ben-

efits to prevent, delay, and minimize the progression of chronic conditions, establish payment incentives for furnishing quality services to people with serious and disabling chronic conditions, and develop national policies on effective chronic condition care, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOEHLERT (for himself, Mr. OBERSTAR, Mr. DUNCAN, Mr. BORSKI, and Mr. DEFAZIO):

H. Con. Res. 255. Concurrent resolution expressing the sense of the Congress regarding the 30th anniversary of the enactment of the Clean Water Act: to the Committee on Transportation and Infrastructure.

> By Mr. ENGLISH (for himself, Mr. QUINN, Mr. KUCINICH, Mr. REGULA, Mr. Cardin, Mr. Ney, Mrs. Jones of Ohio, Mr. EHRLICH, Mr. ADERHOLT, Mr. MURTHA, Mr. HOUGHTON, and Mr. STUPAK):

H. Con. Res. 256. Concurrent resolution expressing the sense of Congress that the United States Trade Representative should oppose any changes that weaken existing antidumping and safeguard laws at the World Trade Organization (WTO) round of negotiations to be held at Doha, Qatar, from November 9-13, 2001, and at any subsequent round of negotiations; to the Committee on Ways and Means.

### By Mr. CUNNINGHAM:

H. Res. 271. A resolution providing for consideration of the bill (H.R. 218) to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII.

Mr. PLATTS introduced a bill (H.R. 3179) for the relief of certain aliens who were aboard the Golden Venture; which was referred to the Committee on the Judiciary.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 64: Mr. TIBERI.

H.R. 218: Ms. Brown of Florida and Mr. EVERETT.

H.R. 307: Mr. FILNER.

H.R. 525: Mr. Frost.

H.R. 782: Mr. Blumenauer.

H.R. 967: Mr. Abercrombie.

H.R. 1073: Mr. HALL of Ohio and Mr. FLETCHER.

H.R. 1158: Mr. WELDON of Florida.

H.R. 1523: Mr. WELDON of Florida.

H.R. 1624: Mrs. CAPITO.

H.R. 1782: Ms. Slaughter and Mr. LATOURETTE.

H.R. 1786: Mr. OSBORNE and Mrs. CLAYTON.

H.R. 1984: Mr. Kerns.

H.R. 1990: Ms. Pelosi.

 $H.R.\ 2032;$  Mr. DEAL of Georgia.

H.R. 2033: Mrs. Thurman.

H.R. 2035: Ms. SANCHEZ, Mr. WEXLER, Mr. MASCARA, and Mr. DOYLE.

H.R. 2117: Mr. DUNCAN.

H.R. 2125: Mr. TURNER, Ms. VELAZQUEZ, and Mr. Shuster.

H.R. 2161: Mr. FORBES.

H.R. 2219: Mr. PRICE of North Carolina.

H.R. 2220: Mr. NETHERCUTT. H.R. 2348: Mr. LARSEN of Washington, Mr. ALLEN, and Mr. LUCAS of Oklahoma.

H.R. 2357: Mr. Lucas of Oklahoma, Mr. RADANOVICH, and Mr. GRAVES

H.R. 2374: Mr. FOLEY, Mr. KLECZKA, and Mr. HERGER.

H.R. 2404: Mr. KILDEE

H.R. 2515: Mr. Lucas of Oklahoma and Mr. FORRES

H.R. 2638: Mrs. MINK of Hawaii and Mr. LEWIS of California

H.R. 2692: Mr. GRUCCI.

H.R. 2794: Mr. EVANS.

H.R. 2805: Mr. AKIN.

H.R. 2806: Mr. SOUDER.

H.R. 2896: Mr. Jones of North Carolina and Mr. Rehberg.

H.R. 2905: Ms. NORTON, Ms. BALDWIN, and Mr. Platts.

H.R. 2906: Mr. FORBES.

H.R. 2917: Mr. Wu, Mr. HINCHEY, Mr. BLUMENAUER, Mr. WELDON of Florida, and Mr. TIAHRT.

H.R. 2929: Mr. LUCAS of Oklahoma.

H.R. 2932: Mr. REYES.

H.R. 2935: Mr. EVANS and Mr. HINOJOSA.

H.R. 2946: Mr. BOYD, Mr. DAVIS of Florida, Mr. HONDA, and Mr. WEINER.

H.R. 2950: Mr. Cooksey.

H.R. 2951: Mr. HOLT, Mr. LEVIN, and Ms. McCollum.

H.R. 2965: Mr. CLEMENT.

H.R. 2985: Mr. FORBES. H.R. 2986: Mr. FORBES.

H.R. 2988: Mr. WEXLER.

H.R. 2998: Mr. Brown of Ohio and Mr. FORD.

H.R. 3007: Mr. OBERSTAR, MR. LEACH, and Mr. Calvert.

H.R. 3015: Mr. FARR of California and Mr. FORD.

H.R. 3022: Mr. FILNER, Mrs. Jones of Ohio, Mr. Boehlert, Ms. Kilpatrick, Mr. McNul-TY, and Mr. BLAGOJEVICH.

H.R. 3025: Mr. English, Mr. Reyes, Mr. WELLER, Mr. CASTLE, and Mr. UNDERWOOD.

H.R. 3026: Mr. Frost.

H.R. 3029: Mr. SIMMONS, Mr. RANGEL, and Mr. Sessions.

H.R. 3046: Mr. DAVIS of Florida, Mr. VITTER, Mr. ROGERS of Michigan, Mr. TURN-ER. Ms. McCarthy of Missouri, Mr. Maloney of Connecticut, and Mr. LAMPSON.

H.R. 3062: Mr. CLEMENT and Mr. WYNN.

H.R. 3067: Mr. Tierney, Mr. Bonior, Mrs. NAPOLITANO, Ms. SOLIS, Ms. McKINNEY. Mr. LIPINSKI, and Mr. GEORGE MILLER of California.

H.R. 3070: Mr. LIPINSKI.

H.R. 3087: Mr. RODRIGUEZ and Mr. UNDER-WOOD.

H.R. 3093: Mr. SHIMKUS.

H.R. 3103: Ms. Lofgren.

H.R. 3110: Mr. TIERNEY, Mrs. CLAYTON, Ms. KAPTUR, Mr. UDALL of Colorado, Mr. KILDEE, Mr. Jackson of Illinois, Mr. Farr of California, Ms. Slaughter, Mr. Green of Texas, Mr. Frost. Mr. Strickland, Mr. Sawyer, and Mr. STARK.

H.R. 3113: Mr. ABERCROMBIE.

H.R. 3115: Mr. Frank and Ms. Pelosi.

H.R. 3161: Mr. MALONEY of Connecticut, Ms. LOFGREN, Ms. HARMAN, Mr. LARSEN of Washington, and Mr. Shuster.

H.R. 3167: Mr. REYNOLDS.

H.J. Res. 67: Mr. DICKS, Mr. DELAHUNT, Mr. CONDIT, Mr. LAFALCE, Mr. GUTIERREZ, Mr. LARSEN of Washington, and Mr. OLVER.

H. Con. Res. 211: Mr. FALEOMAVAEGA and Mr. McHugh.

H. Con. Res. 233: Mr. TIAHRT, Mr. HASTINGS of Florida, and Mr. JEFF MILLER of Florida. H. Con. Res. 238: Mr. GUTIERREZ and Mr.

CAPUANO. H. Con. Res. 249: Mrs. McCarthy of New

York, Ms. McCollum, Ms. Norton, Mr. McGovern, Mr. Frost, Ms. Woolsey, Mr. FALEOMAVAEGA, and Mr. WALSH.

H. Con. Res. 250: Mr. Cummings, Ms. Carson of Indiana, Mr. Dicks, Mrs. Thurman, Mr. Serrano, Mr. Doggett, Mr. Honda, Mr. Sanders, Mr. Owens, Mr. Dingell, Mr. Udall of New Mexico, Mr. Moran of Vir-

ginia, Mr. Watt of North Carolina, Mr. Frank, Ms. Granger, Mr. Frost, Mr. Farr of California, and Mr. Bonior.

of California, and Mr. Bonior.
H. Con. Res. 253: Mr. Hoeffel, Ms. Lee, and Mr. Price of North Carolina.
H. Con. Res. 254: Mr. Greenwood.

H. Res. 52: Mr. CLEMENT.

H. Res. 235: Mr. FROST and Mr. NADLER.

 $\rm H.\ Res.\ 266:\ Mr.\ Ose,\ Ms.\ Woolsey,\ Mr.\ Honda,\ Mr.\ Lantos,\ and\ Mr.\ George\ Miller of\ California.$ 

# Daily Digest

# Senate

### Chamber Action

Routine Proceedings, pages \$11153-\$11250

Measures Introduced: Ten bills and two resolutions were introduced, as follows: S. 1585–1594, S. Res. 174, and S. Con. Res. 80. Page S11198

### Measures Reported:

S. 1202, to amend the Ethics in Government Act of 1978 (5 U.S.C. App.) to extend the authorization of appropriations for the Office of Government Ethics through fiscal year 2006. (S. Rept. No. 107–88).

H.R. 717, to amend the Public Health Service Act to provide for research and services with respect to Duchenne muscular dystrophy, with an amendment.

H.R. 2215, to authorize appropriations for the Department of Justice for fiscal year 2002, with an amendment in the nature of a substitute.

S. 1319, to authorize appropriations for the Department of Justice for fiscal year 2002, with an amendment in the nature of a substitute.

Pages S11197-98

### Measures Passed:

Reclamation Recreation Management Act Amendment: Senate passed H.R. 2925, to amend the Reclamation Recreation Management Act of 1992 in order to provide for the security of dams, facilities, and resources under the jurisdiction of the Bureau of Reclamation, clearing the measure for the President.

Page S11248

Labor/HHS/Education Appropriations Act: Senate began consideration of H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, taking action on the following amendments proposed thereto:

Pages S11154–85

Adopted:

Harkin/Specter Amendment No. 2017, in the nature of a substitute. Page S11156

Byrd/Stevens Amendment No. 2035 (to Amendment No. 2020), to direct that any expenditures resulting from Amendment No. 2020 be charged to

the committee of jurisdiction under the budget process.

Pages S11182–83

Domenici/Wellstone/Kennedy Amendment No. 2020, to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits.

Pages S11165–83

Pending:

Dorgan Amendment No. 2024, to provide for mandatory advanced electronic information for air cargo and passengers entering the United States.

Page S11184

A unanimous-consent agreement was reached providing for further consideration of the bill and certain amendments to be proposed thereto, at 10:30 a.m., on Wednesday, October 31, 2001, with a vote on final passage to occur thereon. Further, that upon passage, the Senate insist on its amendment, request a conference with the House thereon, and the Chair be authorized to appoint conferees on the part of the Senate.

Page S11248

Anti-Terrorism Bill—Agreement: By unanimous-consent, Senate vitiated the October 11, 2001 passage of S. 1510, to deter and punish terrorist acts in the United States and around the world, and to enhance law enforcement investigatory tools, and the bill was then indefinitely postponed.

Page S11247

Agriculture Appropriations: By unanimous-consent, Senate agreed to Reid (for Kohl/Cochran) Amendment No. 2037, to make certain improvements to H.R. 2330, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, as passed by the Senate on October 25, 2001. Pages S11247-48

Nominations Confirmed: Senate confirmed the following nominations:

Kent R. Hill, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development.

John F. Turner, of Wyoming, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs.

Joseph M. DeThomas, of Pennsylvania, to be Ambassador to the Republic of Estonia.

D1067

Brian E. Carlson, of Virginia, to be Ambassador to the Republic of Latvia.

John N. Palmer, of Mississippi, to be Ambassador to the Republic of Portugal.

John Malcolm Ordway, of California, to be Ambassador to the Republic of Armenia.

Bonnie McElveen-Hunter, of North Carolina, to be Ambassador to the Republic of Finland.

Robert V. Royall, of South Carolina, to be Ambassador to the United Republic of Tanzania.

- J. Edward Fox, of Ohio, to be an Assistant Administrator of the United States Agency for International Development.
- E. Anne Peterson, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Margaret K. McMillion, of the District of Columbia, Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador to the Republic of Rwanda.

Wanda L. Nesbitt, of Pennsylvania, to be Ambassador to the Republic of Madagascar.

Clifford M. Sobel, of New Jersey, to be Ambassador to the Kingdom of the Netherlands.

Cameron R. Hume, of New York, to be Ambassador to the Republic of South Africa.

Pages S11247, S11249-50

Nominations Received: Senate received the following nominations:

R. L. Brownlee, of Virginia, to be Under Secretary of the Army.

Peter B. Teets, of Maryland, to be Under Secretary of the Air Force.

Christopher Bancroft Burnham, of Connecticut, to be an Assistant Secretary of State (Resource Management). (New Position)

Darryl Norman Johnson, of Washington, to be Ambassador to the Kingdom of Thailand.

2 Air Force nominations in the rank of general. Routine lists in the Air Force, Army, Coast Guard, Navy. Pages S11248-49

Messages From the House: Page S11194 Measures Placed on Calendar: Page S11194 **Executive Communications:** Page S11194 Petitions and Memorials: Pages S11194-97 Executive Reports of Committees: Page S11198

Additional Cosponsors: Pages S11198-99

Statements on Introduced Bills/Resolutions:

Pages S11199-S11216

Additional Statements: Pages S11192-94 Amendments Submitted: Pages S11216-36

Authority for Committees to Meet: Page S11236 Privilege of the Floor:

Page S11236

Text of H.R. 2330, as Previously Passed and as Amended: Pages S11236-47

Adjournment: Senate met at 10 a.m., and adjourned at 6:29 p.m., until 10 a.m., on Wednesday, October 31, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11248.)

### Committee Meetings

(Committees not listed did not meet)

### **NOMINATIONS**

Committee on Armed Services: Committee ordered favorably reported 38 military nominations in the Army, Navy, and Air Force.

### TERRORISM RISK INSURANCE

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine the future of providing insurance for terrorist acts, focusing on possible policies between the federal government and the insurance industry to respond to the burden of costs in the wake of the tragedies of September 11th, after receiving testimony from Paul H. O'Neill, Secretary of the Treasury; Pennsylvania Commissioner of Insurance Diane Koken, Harrisburg, on behalf of the National Association of Insurance Commissioners; David L. Keating, National Taxpayers Union, Alexandria, Virginia; David A. Moss, Harvard Business School, Boston, Massachusetts; and Phillip L. Hawkins, Carr America Realty Corporation, Franklin W. Nutter, Reinsurance Association of America, Travis Plunkett, Consumer Federation of America, and Robert E. Vagley, American Insurance Association, all of Washington, D.C.

### MAIL TERRORISM

Committee on Governmental Affairs and the Subcommittee on International Security, Proliferation and Federal Services held joint hearings to examine the effects of terrorism on the U.S. mail service, focusing on safeguards to protect postal employees and its customers, after receiving testimony from John E. Potter, Postmaster General, United States Postal Service; Gus Baffa, National Rural Letter Carriers' Association, Alexandria, Virginia; William Burrus, American Postal Workers Union, AFL-CIO, Denise Manley, Brentwood Post Office, and William H. Quinn, National Postal Mail Handlers Union, all of Washington, D.C.; Vincent R. Sombrotto, National Association of Letter Carriers, Port Washington, New York; and Tony DiStephano, Jr., NALC Branch 380, Trenton New Jersey.

Hearings will continue tomorrow.

### LOW INCOME HOME ENERGY ASSISTANCE PROGRAM

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings to examine new challenges facing the Low Income Home Energy Assistance Program, which offers primary federal support to help needy households pay their energy bills, focusing on priorities for reauthorization; after receiving testimony from Wade Horn, Assistant Secretary of Health and Human Services for the Administration for Children and Families; Jerry McKim, Iowa Department of Human Rights, Des Moines; Elliott Jacobson, Action, Inc., Gloucester, Massachusetts; and Theresa Hopkins Allsop, Northeast Utilities Foundation, Hartford, Connecticut.

## House of Representatives

### Chamber Action

Measures Introduced: 9 public bills, H.R. 3180–3188; 1 private bill, H.R. 3179; and 3 resolutions, H. Con. Res. 255–256 and H. Res. 271, were introduced.

Pages H7528–29

Reports Filed: Reports were filed today as follows: H.R. 2585, to authorize the Secretary of the Interior to conduct a study of the feasibility of providing adequate upstream and downstream passage for fish at the Chiloquin Dam on the Sprague River, Oregon (H. Rept. 107–255);

H.R. 1776, to authorize the Secretary of the Interior to study the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas, amended (H. Rept. 107–256);

H.R. 483, regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon, amended (H. Rept. 107–257);

Conference report on H.R. 2311, making appropriations for energy and water development for the fiscal year ending September 30, 2002 (H. Rept. 107–258);

Conference report on H.R. 2647, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002 (H. Rept. 107–259);

H. Res. 272, waiving points of order against the conference report to accompany H.R. 2311, making appropriations for energy and water development for the fiscal year ending September 30, 2002 (H. Rept. 107–260); and

H. Res. 273, waiving points of order against the conference report to accompany H.R. 2647, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002 (H. Rept. 107–261).

Pages H7418-H7525, H7528

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Culberson to act as Speaker pro tempore for today.

Page H7359

Guest Chaplain: The prayer was offered by Mr. Antoine Incashola, Confederated Salish and Kootenai Tribes of Pablo, Montana.

Page H7361

**Recess:** The House recessed at 12:51 p.m. and reconvened at 2 p.m. Page H7361

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

Extension of Refugee Status for Certain Vietnamese Refugees: H.R. 1840, amended, to extend eligibility for refugee status of unmarried sons and daughters of certain Vietnamese refugees;

Pages H7362-64

Presentation of the Public Safety Officer Medal of Valor: H. Con. Res. 243, expressing the sense of the Congress that the Public Safety Officer Medal of Valor should be presented to the public safety officers who have perished and select other public safety officers who deserve special recognition for outstanding valor above and beyond the call of duty in the aftermath of the terrorist attacks in the United States on September 11, 2001 (agreed to by a yea and nay vote of 409 yeas with none voting "nay", Roll No. 408);

Pages H7365-68, H7387-88

Long-Term Care Security Act Amendments: H.R. 2559, to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance (agreed to by a yea and nay vote of 406 yeas to 1 nay, Roll No. 409); Pages H7368-69, H7388-89

Congratulating Barry Bonds on His Record Breaking Season: H. Res. 266, congratulating Barry Bonds on his spectacular, record-breaking season for the San Francisco Giants and Major League Baseball;

Pages H7369-72

Benjamin Franklin Tercentenary Commission: H.R. 2362, amended, to establish the Benjamin Franklin Tercentenary Commission; Pages H7372-74

Norman Sisisky Post Office, Petersburg, Virginia: H.R. 2910, to designate the facility of the United States Postal Service located at 3131 South Crater Road in Petersburg, Virginia, as the "Norman Sisisky Post Office Building" (agreed to by a yea and nay vote of 405 yeas with none voting "nay," Roll No. 410); Pages H7375–79, H7389

Confederated Tribes of the Warm Springs Reservation of Oregon: H.R. 483, amended, regarding

the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon;

Pages H7379-80

Chiloquin Dam Fish Passage Feasibility Study: H.R. 2585, to authorize the Secretary of the Interior to conduct a study of the feasibility of providing adequate upstream and downstream passage for fish at the Chiloquin Dam on the Sprague River, Oregon;

Pages H7380-81

Buffalo Bayou National Heritage Area Study: H.R. 1776, amended, to authorize the Secretary of the Interior to study the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas; and Pages H7382-83

First Responder Death and Injuries at the World Trade Center and Pentagon: H. Con. Res. 233, expressing the profound sorrow of the Congress for the death and injuries suffered by first responders as they endeavored to save innocent people in the aftermath of the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001 (agreed to by a yea and nay vote of 405 yeas with none voting "nay," Roll No. 411).

Pages H7383-87, H7390

Recess: The House recessed at 4:46 and reconvened at 6 p.m. Page H7387

Order of Business—Treasury, Postal Appropriations Conference Report: Agreed that it be in order at any time to consider the conference report on H.R. 2590, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002; that all points of order against the conference report and against it's consideration be waived; and that the conference report be considered as read.

Page H

Recess: The House recessed at 11:23 p.m. and reconvened at 7:11 a.m. on Wednesday, Oct. 31.

Pages H7525, H7527

**Senate Messages:** Message received from the Senate appears on page H7397.

Adjournment: The House met at 12:30 p.m. and adjourned at 7:12 a.m. on Wednesday, Oct. 31.

### Committee Meetings

### POSTAL SERVICE—SAFETY OF POSTAL EMPLOYEES AND MAIL

Committee on Government Reform: Held an oversight hearing on the U.S. Postal Service: The Safety of Postal Employees and the Mail. Testimony was heard from the following officials of the U.S. Postal Service: John E. Potter, Postmaster General; and Kenneth C. Weaver, Chief Postal Inspector, Postal Inspection Service; Mitch Cohen, M.D., Director, Division of Bacterial and Mycotic Diseases, National Center for Infectious Diseases, Department of Health and Human Services; James Jarboe, Section Chief,

Counterterrorism Division, Domestic Terrorism/ Counterterrorism Planning Section, FBI, Department of Justice; and public witnesses.

### OVERSIGHT—WASHINGTON AQUEDUCT DISCHARGE EFFECTS

Committee on Resources: Subcommittee on National Parks, Recreation and Public Lands held an oversight hearing on the Discharge Effects of the Washington Aqueduct. Testimony was heard from John Parsons, Associate Regional Director, Lands, Resources, and Planning, National Capitol Region, National Park Service, Department of the Interior; William T. Hogarth, Assistant Administrator, Fisheries, National Marine Fisheries, NOAA, Department of Commerce; Patricia Gleason, Chief, Maryland and District of Columbia Watershed Branch, Water Protection Division, EPA; Col. Charles J. Fiala, Jr., USA, Commander and District Engineer, Baltimore District, U.S. Army Corps of Engineers, Department of the Army; and public witnesses.

### SECURE TRANSPORTATION FOR AMERICA ACT

Committee on Rules: Heard testimony from Chairman Young of Alaska and Representatives Mica, LaTourette, Castle, Smith of Michigan, Ganske, Oberstar, Lipinski, Millender-McDonald, Bonior, Andrews, Jackson of Illinois, Carson, Inslee, Strickland, Udall of New Mexico, and Solis but no action was taken on H.R. 3150, Secure Transportation for America Act of 2001.

### ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2311, making appropriations for energy and water development for the fiscal year ending September 30, 2002 and against its consideration. The rule provides that the conference report shall be considered as read.

### LEGISLATIVE BRANCH APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2647, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002 and against its consideration. The rule provides that the conference report shall be considered as read.

### GAO'S REPORT—VETERANS' SERVICES

Committee on Veterans' Affairs: Subcommittee on Benefits held a hearing on the GAO's report: "Veterans' Employment and Training Service Flexibility and Accountability Needed to Improve Service to Veterans" and the VA's implementation of the Vocational Training and Rehabilitation program under chapter 31 of Title 38. Testimony was heard from Julius Williams, Director, Rehabilitation and Employment, Department of Veterans Affairs; Charles S.

Ciccolella, Deputy Assistant Secretary, Veterans Employment and Training, Department of Labor; Sigurd Nilsen, Director, Education, Workforce, and Income Security Issues, GAO; Roger Madsen, Director, Department of Labor, State of Idaho; representatives of veterans organizations; and public witnesses.

### **NEW PUBLIC LAWS**

(For last listing of Public Laws, see DAILY DIGEST of October 29, 2001, p. D1064)

S. 1465, to authorize the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003. Signed on October 27, 2001. (Public Law 107–57)

### COMMITTEE MEETINGS FOR WEDNESDAY, OCTOBER 31, 2001

(Committee meetings are open unless otherwise indicated)

#### Senate

Committee on Agriculture, Nutrition, and Forestry: business meeting to consider S. 1519, to amend the Consolidated Farm and Rural Development Act to provide farm credit assistance for activated reservists, focusing on credit title provisions, and subcommittee assignments, 2:30 p.m., SR–328A.

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine the progress in making stem cells available to federally-funded researchers, 9 a.m., SD–124.

Committee on Environment and Public Works: Sub-committee on Fisheries, Wildlife, and Water, to hold hearings to examine innovative financing mechanisms related to the drinking water and clean water state revolving fund, 9:30 a.m., SD–406.

Committee on Foreign Relations: to hold hearings on the nomination of George L. Argyros, Sr., of California, to be Ambassador to Spain, and to serve concurrently and without additional compensation as Ambassador to Andorra; the nomination of Robert M. Beecroft, of Maryland, for the rank of Ambassador as Head of Mission, Organization for Security and Cooperation in Europe (OSCE), Bosnia and Herzegovina; the nomination of Lyons Brown, Jr., of Kentucky, to be Ambassador to the Republic of Austria; the nomination of Stephan Michael Minikes, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador; the nomination of William D. Montgomery, of Pennsylvania, to be Ambassador to the Federal Republic of Yugoslavia; the nomination of Melvin F. Sembler, of Florida, to be Ambassador to Italy; and the nomination of Ronald Weiser, of Michigan, to be Ambassador to the Slovak Republic, 2 p.m., SD-419.

Committee on Governmental Affairs: with the Sub-committee on International Security, Proliferation and Federal Services, to continue joint hearings to examine terrorism through the mail, focusing on the protection of postal workers and the public, 9:30 a.m., SD–342.

#### House

Committee on Education and the Workforce, Subcommittee on Select Education and the Subcommittee on 21st Century Competitiveness, joint hearing on Tracking International Students in Higher Education-Policy Options and Implications for Students, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, to mark up the following bills: H.R. 2983, Price-Anderson Reauthorization Act of 2001; and H.R. 3046, Medicare Regulatory, Appeals, Contracting, and Education Reform Act of 2001, 10 a.m., 2123 Rayburn.

Committee on Financial Services, to consider the following measures: H.R. 2871, amended, Export-Import Bank Reauthorization Act of 2001; H.R. 2604, amended, to authorize the United States to participate in and contribute to the seventh replenishment of the resources of the Asia Development Fund and the fifth replenishment of the resources of the International Fund for Agricultural Development, and to set forth additional policies of the United States towards the African Development Bank, the African Development Fund, the Inter-American Development Bank, and the European Bank for Reconstruction and Development; and H.R. 556, Unlawful Internet Gambling Funding Prohibition Act, 10 a.m., 2128 Rayburn.

Committee on International Relations, Subcommittee on International Operations and Human Rights, hearing on the Afghan People vs. the Taliban: the Struggle for Freedom Intensifies, 3 p.m., 2172 Rayburn.

Committee on Ways and Means, to mark up the following bills: H.R. 2873, Promoting Safe and Stable Families Amendments of 2001; and H.R. 3129 Customs Border Security Act of 2001, 10 a.m., 2167 Rayburn.

### Joint Meetings

Conference: closed meeting of conferees on S. 1438, to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military constructions, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, 10 a.m. and 2:30 p.m., SC–5, Capitol.

Commission on Security and Cooperation in Europe: to hold hearings on the Romanian leadership of the Organization for Security and Cooperation in Europe (OSCE), focusing on the work of the OSCE in strengthening security, preventing conflict and management crises in the OSCE region, as well as promoting respect for human rights and democratic values in the OSCE participating states under Romania's Chairmanship, 9:30 a.m., SR-385.

Next Meeting of the SENATE 10 a.m., Wednesday, October 31

### Senate Chamber

Program for Wednesday: After the recognition of two Senators for speeches and the transaction of any morning business (not to extend beyond 10:30 a.m.) Senate will continue consideration of H.R. 3061, Labor/HHS/Education Appropriations Act, with a vote on final passage to occur thereon.

Next Meeting of the HOUSE OF REPRESENTATIVES 10 a.m., Wednesday, October 31

### House Chamber

Program for Wednesday: Consideration of the conference report on H.R. 2590, Treasury, Postal Appropriations (unanimous consent):

Consideration of the conference report on H.R. 2311, Energy and Water Development Appropriations (rule waiving points of order); and

Consideration of the conference report on H.R. 2647, Legislative Branch Appropriations (rule waiving points of order).



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